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6 Attorneys for Plaintiff
7 United States of America

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)	Criminal Case No. 07CR3371-JLS
)	
11 Plaintiff,)	EX PARTE MOTION TO DISMISS
)	INDICTMENT
12 v.)	
)	
13 AURELIO DE LOS SANTOS-MENDOZA,)	
)	
14 Defendant.)	
15)	

16 COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel,
17 KAREN P. HEWITT, United States Attorney, and RANDY K. JONES, Assistant United States
18 Attorney, and respectfully requests, pursuant to Rule 48(a), Federal Rules of Criminal Procedure, that
19 the Court dismiss the Indictment in the above-entitled case against defendant AURELIO DE LOS
20 SANTOS-MENDOZA without prejudice.
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1 The basis for this motion is that defendant suffers from severe medical condition and it would
2 be in the best interest of justice to have the indictment dismissed. In addition, this case is related to
3 07CR2160-LAB (Revocation of Probation) Defendant sentenced to 12 months custody together with
4 1 year supervised release.

5
6 DATED: April 23, 2008.

Respectfully submitted,

7 KAREN P. HEWITT
8 United States Attorney

s/Randy K. Jones

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10 RANDY K. JONES
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 07CR3371-JLS
)	
Plaintiff,)	
)	
v.)	
)	CERTIFICATE OF SERVICE
AURELIO DE LOS SANTOS-MENDOZA,)	
)	
Defendant.)	

IT IS HEREBY CERTIFIED THAT:

I, Randy K. Jones, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of **Government's Ex Parte Motion to Dismiss Indictment** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

1. John Ellis, john_ellis@fd.org

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

1. None

the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 23, 2008

s/ Randy K. Jones
RANDY K. JONES

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